

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

In re LAURA M. LYNCH

Movant,

Case No. 16-mc-50537

ORDER TERMINATING MOTION TO QUASH SUBPOENA

On April 6, 2016, Movant Laura McMahon Lynch received a subpoena to appear and testify in federal court on April 11, 2016 at 9:00 a.m., in the case *United States v. Benchick*, No. 13-20453 (E.D. Mich. 2016) (“Benchick Trial”). (Dkt. # 1, Pg. ID 7.) Defense counsel advised Lynch that her “testimony would not actually be required on April 11, 2016; instead she would be called to testify during the Defendant’s presentation of proofs,” which would likely occur sometime between April 19, 2016 and April 28, 2016. (*Id.* at Pg. ID 2.) Due to pre-existing family obligations, Movant requested that her testimony be scheduled during a time that was convenient for her, and proposed four different dates and times. (*Id.*) Counsel refused, stating that “he would not select any specific time for her testimony and that he expected Ms. Lynch to appear at the Benchick Trial whenever he requested.” (*Id.*)

Four days later, Ms. Lynch filed the instant motion now before the court, seeking to quash the Defendant’s Subpoena, “or, in the alternative, directing Defense counsel to select a day and time for Lynch’s testimony from one of the four (4) dates that she has already volunteered to appear.” (*Id.* at Pg. ID 4.) The court addressed the matter on April 11, 2016, during the Benchick Trial. Defense counsel agreed to accommodate Ms. Lynch’s conflicts, and schedule her testimony, if necessary, on Monday, April 25, 2016

between 1:00 p.m and 3:00 p.m. as requested. Because defense counsel has agreed to the relief requested in the motion, and as further detailed on the record,

IT IS ORDERED that the Motion is TERMINATED. Ms. Lynch's testimony, if necessary, will occur on April 25, 2016 between 1:00 and 3:00 p.m. Defense counsel shall provide Ms. Lynch with twenty-four hours notice as to whether her presence is necessary.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: April 13, 2016

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, April 13, 2016, by electronic and/or ordinary mail.

s/Lisa Wagner
Case Manager and Deputy Clerk
(313) 234-5522

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